



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Nick Lelack, AICP, Director
Peter Gutowsky, AICP, Planning Manager

DATE: September 3, 2020

SUBJECT: Comprehensive Plan Update 2040 / Orientation to Statewide Planning Goals / Overview

I. Background

The Community Development Department anticipates initiating a Deschutes County Comprehensive Plan (Comp Plan) Update (2040) in Fall 2021. The current Comp Plan covers the 20-year period from 2010 to 2030. While only 10 years old, demographic changes warrant revisiting the Comp Plan to ensure it accurately reflects existing conditions and trends, community values, and emerging opportunities. According to the U.S. Census Bureau, Deschutes County was the fastest growing county in Oregon over the last decade, adding nearly 40,000 residents. This amounted to an increase of more than 25 percent.¹ As noted in the Comp Plan, Section 1.1 – Introduction:

The purpose of the Deschutes County Comprehensive Plan is to provide a blueprint for land use conservation and development. This is accomplished through goals and policies that tell a cohesive story of where and how development should occur and what places should remain undeveloped. The Plan provides a legal framework for establishing more specific land use actions and regulations such as zoning.

The unincorporated areas of the County are covered by this Plan. The cities of Bend, La Pine, Redmond and Sisters each maintain their own comprehensive plans within their respective Urban Growth Boundaries (UGBs).

II. Orientation to Statewide Planning Goals / Overview

Staff prepared a seven month orientation for the Planning Commission to familiarize themselves with the Statewide Planning Goals and their relationship to noteworthy state statutes (ORS), administrative rules (OARs), Comp Plan Sections, implementing codes and emerging issues since 2010 (Attachment). Table 1 lists the Planning Commission work session dates in relation to the Statewide Planning Goals. Presenters beyond

¹ Deschutes County is recognized as the fastest growing county in Oregon since 1990. <https://ktvz.com/news/deschutes-county/2020/03/26/deschutes-countys-growth-tops-oregon-over-the-past-decade-crook-county-2nd/#:~:text=BEND%2C%20Ore.,population%20estimates%20released%20Thursday%20show>.

County staff are tentatively identified.² The public is encouraged to attend (remotely) and participate at the work sessions. A press release announcing the Comp Plan Update Orientations will be released momentarily.

Table 1 – Planning Commission Work Session Dates & Discussion Topics

Dates	Statewide Planning Goals
September 24	Goal 1 - Citizen Involvement Goal 2 - Land Use Planning
October 8	Goal 3 - Agricultural Lands and Goal 4 - Forest Lands
October 22	Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces (<u>PART 1 - Water Resources, Wildlife</u>)
November 12	Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces (<u>PART 2 - Scenic and Open Spaces and Historic Resources</u>) Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces (<u>PART 3 - Mineral and Aggregate Resources</u>)
December 10	Goal 6 - Air, Water and Land Resources Quality Goal 7 - Areas Subject to Natural Hazards
January 14	Goal 8 - Recreational Needs
January 28	Goal 9 - Economic Development
February 11	Goal 10 - Housing Goal 11 - Public Facilities and Services
February 25	Goal 12 - Transportation
March 11	Goal 13 - Energy Conservation Goal 14 - Urbanization
March 25	Recap / Annual Work Plan Work Session - Discussion

* There is tentatively scheduled Planning Commission remote retreat on October 22.

** The Association of Oregon County Planning Directors will be hosting a County Planning 101 video session November 18-20 (TBD)

III. Oregon Land Use System

The 1973 Legislature convened with bipartisan support for strengthening state oversight of local land use planning. The result of its effort, the Oregon Land Use Act of 1973 (Senate Bill 100), established the framework that in major part governs and guides land use planning in Oregon today. The Act was passed by substantial margins in both chambers of the legislature. It remains a controversial piece of legislation but has withstood numerous challenges in the legislature, courts, and at the polls. It also represents the concerns,

² The Department of Land Conservation and Development (DLCD) recently announced \$2.8 million in budget reductions to address revenue shortfall resulting from COVID-19. They significantly impact DLCD’s positions and programs for the remainder of the 2019-21 biennium.

and has received the support of various groups including agriculture, business, homebuilders, local governments, and environmental organizations.

Once the Land Use Act was adopted, the work of implementation began. The first task for the Land Conservation and Development Commission (LCDC) was creation of the Statewide Planning Goals against which each local comprehensive plan would be measured. After more than a year of public workshops and hearings in 20 locations around the state involving over 3,000 Oregonians, LCDC adopted 14 statewide land use-planning goals in 1974. Later, coastal goals and a Willamette River Greenway goal were added to bring the total to 19 goals.

IV. Deschutes County Comprehensive Plan

Deschutes County encompasses a total of 3,054 square miles. The County was created in 1916 from a portion of Crook County and was named after the Deschutes River. Approximately 80 percent of the land in the County is publicly owned by the federal, state or local governments. Deschutes County’s first Comp Plan, *Comprehensive Plan to 1990*, was adopted in 1970. To comply with newly adopted statewide planning regulations a new plan was adopted in 1979, *Deschutes County Year 2000 Comprehensive Plan (1979 Plan)*. In 1981, the 1979 Plan was acknowledged as being in compliance with the Statewide Goals. Along with the 1979 Plan, the County adopted a background document and map.

The *Deschutes County Comprehensive Plan Resource Element (Resource Element)* contained valuable information pertaining to resources and demographics. The map depicted the long-term general land use categories for all lands in the county. Over time, the County amended the 1979 Plan to comply with changes initiated by the state, the Board of County Commissioners or property owners. Periodic Review, a plan update process once required by the state, started in 1988 and was completed in 2003. It included major additions and amendments to the 1979 Plan to keep the Plan and its policies consistent with evolving State planning regulations and local conditions. The 1979 Plan was codified as Title 23 in the Deschutes County Code.

Deschutes County Comprehensive Plan 2030 is organized into five chapters:

- Chapter 1 Comprehensive Planning
- Chapter 2 Resource Management
- Chapter 3 Rural Growth Management
- Chapter 4 Urban Growth Management
- Chapter 5 Supplemental Sections

Chapters 1 to 4 contain the following:

- Background: Information providing context for the reason and process for including the goals and policies.
- Goals: A general description of what Deschutes County wants to achieve. The County will direct resources and/or support partner agencies and organizations to implement the goals over the 20-year Plan timeframe.
- Policies: Statements of principles and guidelines to aid decision making by clarifying and providing direction on meeting the Goals.

- **References:** A list of resources used in the preparation of each chapter is included at the end of each chapter.

V. Types of Regulations

The Comp Plan contains a map and general policy statements. Implementing ordinances establish particular criteria, standards, and procedures through which the Comp Plan will be carried out. These ordinances prescribe laws governing the way in which rural land may be used and divided. The most common types of regulation are subdivision and zoning regulations. Subdivision regulations control the particular ways in which parcels of land are divided. Provisions address design and layout of sites, roads, utility easements, public areas, etc.

Zoning is the placement of various land use “labels” (such as residential, commercial, or exclusive farm use) on a particular geographic area. Zoning describes the uses permitted and generally establishes criteria and standards for each use (such as lot size, setbacks, and parking). In designating these areas and establishing the conditions, the zoning ordinance will usually allow for flexibility and accommodation of special concerns. Provisions for variances, nonconforming uses, conditional uses, and other special provisions are incorporated into the zoning ordinances. Table 2 lists existing Comp Plan designations and related Zoning districts. Some Comp Plan designations apply County-wide and while others apply to designated areas of existing development. The Destination Resort designation recognizes a combining zone that supplements the underlying zoning. Most of the area-specific designations fall under the State rules for Unincorporated Communities.

Table 2 - Comprehensive Plan and Zoning Code Designations

<i>Comprehensive Plan Designation</i>	<i>Associated Deschutes County Zoning Code</i>
County-wide designations	
Agriculture	Title 18 - All EFU subzones
Airport Development	Title 18 - AD, AS
Destination Resort Combining Zone	Title 18 - DR
Forest	Title 18 - F-1, F-2
Open Space and Conservation	Title 18 - OS&C
Rural Residential Exception Area	Title 18 - RR-10 and MUA-10
Surface Mining	Title 18 - SM
Area specific designations	
Resort Community	Title 18 - All Black Butte Ranch and Inn of the 7 th Mountain/Widgi Creek subzones
Rural Community	Title 18 - All Tumalo and Terrebonne subzones
Rural Service Center	Title 18 - All RSC zones
Urban Unincorporated Community	Title 18 - All Sunriver subzones
Rural Commercial	Title 18 - Rural Commercial
Rural Industrial	Title 18 - Rural Industrial
Bend Urban Growth Area	Title 19 - UAR-10, SM, SR 2 ½, RS, IL, FP, WTZ
Redmond Urban Growth Area	Title 20 - UH-10
Sisters Urban Growth Area	Title 21 - UAR-10, OA, FP
Redmond Urban Reserve Area	Title 18 - RURA

Source: County Geographical Information System and Deschutes County Code

Deschutes County recognizes the importance of working closely and cooperatively with the Cities of Bend, La Pine, Redmond and Sisters, special districts and state and federal agencies, non-profits and stakeholder organizations, businesses and residents to ensure a coordinated approach to future growth and conservation. Deschutes County has the responsibility for negotiating urban service agreements with representatives of all cities and special districts that provide, or declare an interest in providing, urban services inside a UGB. Urban service means:

- Sanitary sewers
- Water
- Fire protection
- Parks
- Open space
- Recreation
- Streets, roads and mass transit
- Special Districts

Deschutes County is also responsible for coordinating other planning activities affecting land uses within the County. This includes:

- Coordinating with special districts, including irrigation districts, park districts, school districts, sewer districts, and water districts.
- Establishing Cooperation Agreements with special districts that provide an urban service in a UGB.
- Coordinating with the U.S. Forest Service and Bureau of Land Management.
- Joint Management Agreements with municipalities for managing urban growth areas (areas outside city limits, but inside a UGB).
- Establishing Urban Reserve Areas.

VI. Dedicated Website

Staff will create a website for the Comprehensive Plan Update Orientation: www.deschutes.org/Plan2040. It summarizes the project and will provide links to each Planning Commission work session packet.

VII. Comp Plan Update Orientation / Goal 1 – Citizen Involvement

The Planning Commission will conduct a work session to discuss Statewide Planning Goal 1, Citizen Involvement on September 24, 2020.

Attachment

Comprehensive Plan Update – Planning Commission Orientation to Statewide Planning Goals

Comprehensive Plan Update - Orientation to Statewide Planning Goals

Planning Commission Schedule

Topic	Themes	Work Session Dates	Noteworthy Laws / Comp Plan Sections / Codes	Emerging Issues since 2010 Comp Plan Update	Presenters	Packet
Goal 1 - Citizen Involvement	Public Involvement; citizen influence; public outreach	September 24, 2020	<p>ORS Chapter 215 (County Planning; Zoning; Housing Codes), 215.020, 030, 110, 406</p> <p>OAR 660-015 (Statewide Planning Goals and Guidelines)</p> <p>Comp Plan Section 1.2 (Community Involvement)</p> <p>DCC Chapters 2.28 (Historic Preservation and Historic Landmarks Commission), 2.52 (Deschutes County Planning Commission), 8.24 (Project Wildfire Steering Committee)</p>	COVID-19; video conferencing; increased participation in land use application by general public and various groups	Long Range Staff	Memo, Comp Plan Section 1.2
Goal 2 - Land Use Planning	Fact-based land use process and policy framework to guide land use decisions; periodic review; exceptions; population	September 24, 2020	<p>ORS Chapter 195 (Local Government Planning Coordination), ORS 195.025; ORS Chapter 197 (Comprehensive Planning), 197.173-200, 201-283, 610-651</p> <p>OAR 666-004 (Interpretation of Goal 2 Exception Process); 660-018 (Post Acknowledgement Amendments); 660-025 (Periodic Review); 660-032 (Population Forecasts)</p> <p>Comp Plan Sections 1.3 (Land Use Planning), 5.10 (Goal Exception Statements)</p> <p>DCC Title 22 - Development Procedures Ordinance</p>	HB 2253 (2013) - Population Research Center Coordinated Forecasts; Deschutes County 2040 population forecast (285,000); 2020 Census	Long Range Staff	Memo, Comp Plan Section 1.3
Goal 3 - Agricultural Lands	Preserving and maintaining farm land	October 8, 2020	<p>ORS Chapter 215 (County Planning; Zoning; Housing Codes), 215.243</p> <p>OAR 660-033 (Agricultural Land)</p> <p>Comp Plan Section 2.2 (Agricultural Lands)</p> <p>DCC Chapters 9.12 (Right to Farm), 18.16 (Exclusive Farm Use)</p>	Marijuana production and processing; hemp; non-resource lands, irrigation canal piping for hydropower; scenic features vs. efficient delivery of water; solar Farms; 2017 Agricultural Census	Jim Johnson (ODA), Hilary Foote (DLCD), Long Range Staff	Memo, Comp Plan Section 2.2, Agricultural Land Fact Sheet, 2017 Agricultural Census

Goal 4 - Forest Lands	Conserving forest land and forest uses	October 8, 2020	<p>ORAR 660-006 (Goal 4 Forest Lands) Comp Plan Section 2.3 (Forest Lands) DCC Chapters 18.36 (Forest Use Zone - F-1), 18.40 (Forest Use Zone - F-2)</p>	<p>Nonresource lands; timber vs tourism; wildfire increases in frequency and magnitude</p>	Ed Keith (County Forester), Long Range Staff	<p>Memo, Comp Plan Section 2.3, Forest Land Land Fact Sheet</p>
Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces (<u>PART I - Water Resources, Wildlife</u>)	Protect natural resources	October 22, 2020	<p>ORAR 660-016 (Requirements and Application Procedures for Complying with Statewide Goal 5); ORAR 660-023 (Procedures and Requirements for Complying with Goal 5) Comp Plan Sections 2.5 (Water Resources), 2.6 (Wildlife), 5.3 (Goal 5 - Inventory - Water Resources), 5.4 (Goal 5 Inventory - Wildlife Habitat) DCC Chapters (all base zones address riparian setbacks, wetlands), 18.88 (Wildlife Area Combining Zone), 18.89 Greater Sage Grouse Combining Zone, 18.90 (Sensitive Bird and Mammal Combining Zone), 18.128 (Conditional Use)</p>	<p>Sage Grouse; Oregon Spotted Frog; Deschutes Basin Habitat Conservation Plan; steelhead ESA (10j); Miller Tree Farm; Westside Transect; RLUIPA; DLCD 2020-21 TA Grant -Wildlife Inventories</p>	Long Range Staff	<p>Memo, Comp Plan Sections 2.5, 2.6, 5.3, 5.4; Fact Sheet</p>
Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces (<u>PART 2 - Scenic and Open Spaces and Historic Resources</u>)	Protect natural resources and conserve scenic and historic areas and open spaces	November 12, 2020	<p>ORAR 660-023 (Procedures and Requirements for Complying with Goal 5) Comp Plan Sections 2.7, (Open Spaces, Scenic Views and Sites) 2.11 (Cultural and Historic Resources), 5.5 (Goal 5 Inventory - Open Spaces, Scenic Views and Sites), 5.9 (Goal 5 Inventory - Cultural and Historic Resources) DCC Chapters 2.28 (Historic Preservation and Historic Landmarks Commission), 18.48 (Open Space and Conservation Zone), 18.84 (Landscape Management Combining Zone)</p>	<p>New districts recognized on National Register of Historic Places (Pilot Butte and Central Oregon Irrigation Canals)</p>	Long Range Staff	<p>Memo, Comp Plan Sections 2.7, 2.11</p>

Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces (<u>PART 3 - Mineral and Aggregate Resources</u>)	Protect natural resources	November 12, 2020	OAR 660-023 (Procedures and Requirements for Complying with Goal 5) Comp Plan Sections 2.10, 5.8 (Goal 5 Inventory - Mineral and Aggregate Resources) DCC Chapter 18.52 (Surface Mining Zone), 18.56 (Surface Mining Impact Area Combining Zone)	Reclamation; availability of aggregate and mineral resources over next 20 years	Long Range Staff	Memo, Comp Plan Sections 2.10; maps
Goal 6 - Air, Water and Land Resources Quality	Maintain and improve quality of air, water and land resources	December 10, 2020	Comp Plan Section 2.9 (Environmental Quality) DCC Chapter 15.10 (Outdoor and Greenhouse Lighting Control)	South County Local Wetland Inventory; Revisit Outdoor and Greenhouse Lighting Control Ordinance; Terrebonne Sewer Feasibility Study	Long Range Staff	Memo, Comp Plan Section 2.9
Goal 7 - Areas Subject to Natural Hazards	Protect people and property from natural hazards	December 10, 2020	Comp Plan Section 3.5 (Natural Hazards) DCC Chapters 18.96 (Flood Plain Zone), 18.128 (Conditional Use)	Model Floodplain Code Amendments; Miller Tree Farm; Westside Transect; DLCD 2020-21 TA Grant - Wildfire Mitigation	Ed Keith (County Forester), Nathan Garibay (Sheriff Office), Celinda Adair (DLCD), Will Groves (Deschutes Co.), Long Range Staff	Memo, Comp Plan Section 3.5
Goal 8 - Recreational Needs	Satisfy recreational need of citizens and visitors and provide for recreational facilities like destination resorts	January 14, 2021	ORS Chapter 197 (Comprehensive Planning), ORS 197.435-467 Comp Plan Sections 3.8 (Rural Recreation), 3.9 (Destination Resorts), 4.5 (Sunriver Urban Unincorporated Community) 4.8 (Resort Communities) DCC Chapter 18.108 Urban Unincorporated Combining Zone), 18.110 (Resort Community Zone), 18.113 Bridge (Destination Resort Zone)	Destination Resort Remapping; Caldera Springs Annexation; Seven Wonders of Oregon (2014, Smith Rock); Eagle Crest Text Amendments; Sunriver Employee Housing Text Amendment; Bend population > 100,000; increased demands on trailheads; Harper	Long Range Staff	Memo, Comp Plan Sections 3.8, 3.9, 4.5, 4.8

<p>Goal 9 - Economic Development</p>	<p>Provide adequate opportunities for a variety of economic activities</p>	<p>January 28, 2021</p>	<p>ORS Chapter 195 (Local Government Planning Coordination), ORS 195.025</p> <p>OAR 660-022 (Unincorporated Communities); 660-024 (Urban Growth Boundaries)</p> <p>Comp Plan Sections 3.2 (Rural Development), 3.3 (Rural Housing), 3.4 (Rural Economy), 3.9 (Destination Resorts), 3.11 (Newberry Country Plan (3.11), 4.5 (Sunriver Urban Unincorporated Community), 4.6 (Terrebonne Community Plan), 4.7 (Tumalo Community Plan), 4.9 (Rural Service Centers)</p> <p>DCC Titles 18 (Deschutes County Zoning), 19 (Bend Urban Area Zoning)</p>	<p>Large lot Industrial Lands Needs Analysis; Redmond UGB amendment (DSL Lands SE Redmond, fairgrounds, Oregon Military Department); Bend Airport Master Plan; nonresource lands; child care text amendments</p>	<p>Long Range Staff</p>	<p>Memo, Comp Plan Sections 3.2, 3.3, 3.4, 3.9, 3.11, 4.5. 4.6, 4.7, 4.9</p>
<p>Goal 10 - Housing</p>	<p>Provide for housing needs</p>	<p>February 11, 2021</p>	<p>OAR 666-004 (Interpretation of Goal 2 Exception Process)</p> <p>Comp Plan Sections 3.3 (Rural Housing), 3.9 (Destination Resorts), 3.11 (Newberry Country Plan), 4.5 (Sunriver Urban Unincorporated Community), 4.6 (Terrebonne Community Plan), 4.7 (Tumalo Community Plan), 4.8 (Resort Communities)</p> <p>DCC Chapters 18.32 (Multiple Use Agricultural Zone), 18.60 Rural Residential Zone), 18.66 (Terrebonne Community Zoning Districts), 18.67 (Tumalo Community Zoning Districts), 18.108 Urban Unincorporated Combining Zone), 18.110 (Resort Community Zone), 18.113 (Destination Resort Zone), 19.12 (Urban Area Reserve Zone), 19.20 (Suburban Low Density Residential Zone), 19.22 (Westside Transect Zone)</p>	<p>Newberry Country Plan; HB 4079, Affordable Housing Pilot Project; Miller Tree Farm; Westside Transect; non resource lands; housing strategy</p>	<p>Jon Jinings (DLCD), Long Range Staff</p>	<p>Memo, Comp Plan Sections 3.2, 3.3, 3.4, 3.9, 3.11, 4.5. 4.6, 4.7, 4.8</p>

Goal 11 - Public Facilities and Services	Plan and develop a timely, orderly and efficient arrangement of public facilities and services	February 11, 2021	OAR 660-011 (Public Facilities Planning) Comp Plan Section 3.6 (Public Facilities and Services) DCC Title 17- Subdivisions	Failed Goal 11 Exception for South County; Terrebonne Sewer Feasibility Study	Jon Jinings (DLCD), Long Range Staff	Memo, Comp Plan Section 3.9
Goal 12 - Transportation	Provide and encourage a safe, convenient and economic transportation system	February 25, 2021	OAR 660-012 (Transportation Planning), 660-013 (Airport Planning) Comp Plan Section 3.7 (Transportation System Plan) DCC Title 17- Subdivisions; DCC Chapters 18.124 (Site Plan Review), 18.128 (Conditional Use)	TSP Update and Hwy 20 and 97 TSP (ODOT) amendments; Bend Airport Text Amendments; Roundabouts on State Highways; increase focus on active transportation; marked increase in online working / telecommuting; Transportation Safety Action Plan; All Roads Transportation Safety	Chris Doty (Road Dept), Matt Crall (DLCD), Long Range Staff	Memo including excerpts of TSP
Goal 13 - Energy Conservation	Conserve energy	March 11, 2021	Comp Plan Section 2.8 (Energy Resources), 5.6 (Goal 5 Inventory - Energy Resources) DCC Chapter 18.116 (Supplementary Provisions - Solar Access)	Solar Farms	Long Range Staff	Memo, Comp Plan Sections 2.8 and 5.6
Goal 14 - Urbanization	Provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside UGBs, to ensure efficient use of land, and to provide for livable communities.	March 11, 2021	OAR 660-021 (Urban Reserves), 660-022 (Unincorporated Communities), and 024 (Urban Growth Boundaries) Comp Plan Sections 4.2 (Urbanization), 4.3 Unincorporated Communities, 4.4 (La Pine Urban Unincorporated Community), 4.5 Sunriver Urban Unincorporated Community, 4.6 (Terrebonne Community Plan), 4.7 (Tumalo Community Plan, 4.8 (Resort Communities), 4.9 (Rural Services Centers) DCC Chapters (Terrebonne Community Zoning Districts), 18.67 (Tumalo Community Zoning Districts), 18.108 Urban Unincorporated Combining Zone), 18.110 (Resort Community Zone)	Bend UGB amendment (2016); UGB adjustments (Bend, Redmond); future Bend UGB amendment and Urban Reserve Area opportunity	Jon Jinings (DLCD), Long Range Staff	Memo, Comp Plan Sections 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9

**Recap / Annual Work Plan
Work Session - Discussion**

Prep for Comp Plan Update

March 25, 2021

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Long Range Staff

TBD
